

January 13, 2003

MEMORANDUM FOR DISTRIBUTION

SUBJECT: GENERAL PERMIT NO. 02-01
AUTHORIZING CERTAIN CLASS III DAMS

Attached for your information is a copy of Department of Natural Resources, Office of Water Resources General Permit No. 02-01, which has been issued to authorize the construction, modification, and/or maintenance of certain Class III (low hazard potential) dams in Illinois. This permit has been issued pursuant to the Rivers, Lakes and Streams Act, 615 ILCS 5 (2000 State Bar Edition).

The referenced Act requires the Department to regulate, among other things, the construction of new dams and the reconstruction, repair, operation, and maintenance of existing dams. The issuance of General Permit No. 02-01 represents, in part, the Department's ongoing effort to accomplish its legislatively mandated responsibilities while reducing regulatory costs and burden on the public.

For additional information regarding General Permit No. 02-01 or its applicability, contact the Downstate Regulatory Programs Section in Springfield (217/782-3863) or the Northeastern Illinois Regulatory Programs Section in Bartlett (847/608-3100 ext. 2025).

Attachment

ILLINOIS DEPARTMENT OF NATURAL RESOURCES
OFFICE OF WATER RESOURCES
ONE NATURAL RESOURCES WAY
SPRINGFIELD, ILLINOIS 62702-1271

GENERAL PERMIT NO. 02-01

AUTHORIZING CERTAIN CLASS III DAMS

PURPOSE

The purpose of this General Permit is to authorize the construction, modification, and/or maintenance of jurisdictional Class III dams which, by complying with the terms and conditions of this permit, are determined to satisfy the Illinois Department of Natural Resources, Office of Water Resources (IDNR/OWR) "Rules for Construction and Maintenance of Dams," 17 Illinois Administrative Code 3702. A formal permit application must be submitted for an individual project for review and determination by the Office of Water Resources that this General Permit is applicable to the project. Applications will also be reviewed for compliance with the Department's rules entitled the "Construction in Floodways of Rivers, Lakes and Streams," "Regulation of Public Waters," and "Floodway Construction in Northeastern Illinois," 17 Illinois Administrative Code 3700, 3704, and 3708, respectively. No work on the project shall be started until written confirmation of compliance with this permit has been provided by the Office of Water Resources.

APPLICABILITY

This General Permit is applicable only to Class III (low hazard potential) dams under the Department's jurisdiction.

DATA REQUIRED TO BE INCLUDED WITH A SUBMITTAL

In order to be considered for authorization under this General Permit, an application submittal for a proposed project must include the following information:

1. A completed application for permit form;
2. Sufficient documentation to enable the Department to determine the hazard potential classification of the dam (typically, maps and aerial photographs showing the location of the dam and surrounding area, the location of State, county and township roads, access to the site, and the downstream area for a distance of at least 2 miles);
3. Construction plans and documents for the dam and all appurtenant structures that are sealed, signed, and dated by an engineer, as defined in Section 3702.20 of the "Rules for Construction and Maintenance of Dams," which include cross sections, plans and profiles of the dam, proposed normal pool levels, and types of spillways;
4. A certification (Appendix 1 of this permit) by an engineer, as defined in Section 3702.20 of the "Rules for Construction and Maintenance of Dams," that the design of the dam meets the minimum criteria noted in the "Rules for Construction and Maintenance of Dams," 17 Illinois Administrative Code 3702;
5. A maintenance plan for the dam and its appurtenances;

6. A completed copy of Appendix 2 of this permit;
7. A statement by the owner indicating agreement to modify the structure in accordance with the "Rules for Construction and Maintenance of Dams" if the hazard classification of the dam changes;
8. A statement by the owner granting the State the right of access to inspect the dam site and immediate vicinity before, during and after construction and for the life of the dam and appurtenances; and
9. In the case of an existing dam, the submittal must also include an inspection report detailing the current condition of the dam and, if deficiencies are noted, a schedule, plans and documents to remedy the noted deficiencies.

CONDITIONS OF THIS PERMIT

1. This permit is granted in accordance with Rivers, Lakes and Streams Act, 615 ILCS 5 (2000 State Bar Edition) and does not preclude review of the project under other rules of the Department of Natural Resources. This permit is not effective for any specific project until written confirmation of compliance from IDNR/OWR is received for the project.
2. If the hazard potential classification of the dam changes, the Permittee agrees to modify the dam and appurtenances to conform with the requirements of the applicable classification.
3. The Permittee authorizes the Department of Natural Resources, Office of Water Resources, in the event that the dam is found to be in immediate danger of failure, to enter upon the dam property, if necessary, to prevent or alleviate any dam breach damage. The Permittee agrees to compensate the Office of Water Resources for costs reasonably incurred by such emergency action.
4. The Permittee shall inspect and maintain the dam and appurtenances in accordance with the approved plans and in accordance with the latest edition of the "Rules for Construction and Maintenance of Dams" adopted by the Department of Natural Resources. If the approved inspection and maintenance plans are not complied with by the Permittee, this permit shall cease and be null and void.
5. The Permittee grants the Department of Natural Resources, Office of Water Resources, the right of access to inspect the dam site and immediate vicinity, for the life of the dam and appurtenances.
6. The Permittee shall provide the Department of Natural Resources, Office of Water Resources, with "As-Built" plans and specifications when construction has been completed.
7. There shall be no deviation from the plans submitted and hereby approved unless the proposed change in plans shall first have been submitted to and approved, in writing, by the State of Illinois acting by and through its Department of Natural Resources, Office of Water Resources.

8. The Permittee shall have the dam and appurtenances inspected once every five years by an engineer, as defined in Section 3702.20 of the "Rules for Construction and Maintenance of Dams," and shall have the engineer prepare and submit an inspection report on forms provided by the Department of Natural Resources to the Department of Natural Resources, Office of Water Resources. The first inspection report shall be submitted within one year of the completion of the construction or modification of the dam or within one year of the date written confirmation of compliance from IDNR/OWR is received for the project, whichever occurs first. In the intervals between the engineer's reports, the Permittee shall submit an annual maintenance statement stating whether the dam is being maintained in accordance with the maintenance plan prepared by the engineer and indicating any change in land use downstream of the dam. This statement shall be submitted on forms provided by the Department of Natural Resources to the Department of Natural Resources, Office of Water Resources.
9. This permit does not convey title to any permittee or recognize title of any permittee to any submerged or other lands, and furthermore, does not convey, lease or provide any right or rights of occupancy or use of the public or private property on which the project or any part thereof will be located, or otherwise grant to any permittee any right or interest in or to the property, whether the property is owned or possessed by the State of Illinois or by any private or public party or parties.
10. This permit does not release any permittee from liability for damage to persons or property resulting from the work covered by this permit, and does not authorize any injury to private property or invasion of private rights.
11. This permit does not relieve any permittee of the responsibility to obtain other federal, state or local authorizations required for the construction of the permitted activity; and if the permittee is required by law to obtain approval from any federal, state or local agency to do the work, the authorization is not effective until the required approvals are obtained.
12. In issuing this permit, the Department of Natural Resources does not approve the adequacy of the design or structural strength of any structure or improvement authorized by this permit.
13. This General Permit shall remain in effect until such time as it is modified, suspended, or revoked by the Department of Natural Resources.

This General Permit was issued on _____.

APPROVED:

Brent Manning, Director
Department of Natural Resources

EXAMINED AND RECOMMENDED:

Martin J. Stralow, Manager
Division of Water Resource Management

APPROVAL RECOMMENDED:

Donald R. Vonnahme, Director
Office of Water Resources

APPENDIX 1

Engineer's Certification

I hereby certify that the _____ Dam has been designed to meet the minimum requirements noted in the "Rules for the Construction and Maintenance of Dams," 17 Illinois Administrative Code 3702.

Signature

Date

P.E. SEAL

Illinois License Expiration Date _____

APPENDIX 2

NAME OF THE DAM _____

OWNER'S NAME _____

OWNER'S STREET ADDRESS _____

OWNER'S CITY, STATE, ZIP CODE _____

OWNER'S TELEPHONE NUMBER _____

LATITUDE _____ LONGITUDE _____

SECTION, TOWNSHIP, RANGE _____

COUNTY _____

STREAM _____

NEAREST DOWNSTREAM CITY _____

DISTANCE TO NEAREST CITY (miles) _____

DESIGN ENGINEER OR FIRM _____

DRAINAGE AREA (Square Miles) _____

RESERVOIR SURFACE AREA (Acres) _____

DAM LENGTH (Abutment to Abutment, Feet) _____

DAM HEIGHT (Downstream Toe to the Top of Dam, Feet) _____

NORMAL POOL STORAGE (Acre-Feet) _____

TOP OF DAM STORAGE (Acre-Feet) _____

PRINCIPAL SPILLWAY DISCHARGE (At Emergency Spillway Crest, CFS) _____

25-YEAR FREQUENCY FLOOD PRINCIPAL SPILLWAY DISCHARGE (CFS) _____

100-YEAR FREQUENCY FLOOD DISCHARGE FOR ALL SPILLWAYS (CFS) _____

TOTAL SPILLWAY DISCHARGE (At Top of Dam, CFS) _____

PURPOSE OF DAM AND RESERVOIR _____